

DOCKET NO.: CC-3643
Application No.: 10/813,781
Office Action Dated: September 19, 2007

PATENT

REMARKS

Applicant notes that the Examiner has not accepted or objected to the drawings filed on March 31, 2004. Applicant requests that the Examiner please do so before allowance of the claims.

Claims 1-33 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-47 of U.S. Patent No. 6,425,493 and as being unpatentable over claims 1-18 of U.S. Patent No. 6,729,495. Applicant submits a terminal disclaimer herewith. Accordingly, Applicant requests withdrawal of the rejection.

Claims 1-4, 6, 9, 17-18, 21, 26, and 33 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,692,633 (Gordon), claims 1-4, 6-9, and 17-21 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,834,258 (Root), claim 5 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Gordon in view of U.S. Patent No. 5,653,355 (Tominaga), and claims 10-16, 22-25, and 27-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1, 2 and 33 are amended, and claims 21 and 22 are canceled.

Applicant has amended independent claims 1, 2, and 33 to include the limitations of dependent claim 22. Accordingly, because claims 1, 2, and 33 now contain the limitations of an allowable claim, Applicant respectfully submits that claims 1, 2, and 33 are now in condition for allowance. Because claims 3-8, 10-20, and 23-32 ultimately depend from one of claims 1 and 2, Applicant respectfully submits that claims 3-8, 10-20, and 23-32 are also in condition for allowance.

Date: January 18, 2008

/Harold H. Fullmer/
Harold H. Fullmer
Registration No. 42,560

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439